

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) Criminal Action No.
) 06-00103-07-CR-W-ODS
ROY L. McMAHAN, JR.,)
)
Defendant.)

REPORT AND RECOMMENDATION

On March 21, 2006, Defendant made an oral motion for a judicial determination of mental competency. Defendant was examined by Robert Johnson, Ph.D., a clinical psychologist, who prepared a report dated May 18, 2006.

On June 1, 2006, I held a competency hearing. Defendant was present, represented by Lisa Nouri. The government was represented by Assistant United States Attorney Kate Mahoney. The parties stipulated to the contents and findings of Dr. Johnson (Tr. at 2-3) and waived the ten-day objection period to this report and recommendation (Tr. at 4).

Based upon the uncontested evidence stipulated to by the parties in this case, I find that Defendant is competent to stand trial and to assist in his defense. Therefore, it is

RECOMMENDED that the court, after making an independent review of the record and applicable law, enter an order finding defendant competent to stand trial and to assist in his defense.

/s/ Robert E. Larsen

ROBERT E. LARSEN
United States Magistrate Judge

Kansas City, Missouri
June 6, 2006